

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

RAJESH KUMAR,)	
)	
Plaintiff,)	
)	Case No. 2:12-cv-06870-KSH-CLW
v.)	
)	DECLARATION OF ERIC M.
THE INSTITUTE OF ELECTRICAL))	STAHL
AND ELECTRONICS ENGINEERS,))	
INC.,)	
)	
Defendant.)	
_____)	

I, Eric M. Stahl, declare as follows:

1. I am a partner with Davis Wright Tremaine LLP, counsel of record for Plaintiff Rajesh Kumar in this action. I make this declaration in support of Dr. Kumar's motion for summary judgment.

2. Attached hereto as **Exhibit A** is a true and correct copy of the accused article in this copyright infringement action, *Task Modeling and Specification for Modular Sensory Based Human-Machine Cooperative Systems*, by D. Kragic and G.D. Hager (referred to in the motion as the "IEEE Article"), published by Defendant The Institute Of Electrical And Electronics Engineers ("IEEE") in the Proceedings of the 2003 IEEE/RSJ Int'l Conference on Intelligent Robots and Systems. The IEEE Article was identified as Deposition Exhibit 3 at the IEEE Fed. R. Civ. P. 30(b)(6) deposition in this action (Exhibit T below).

3. Attached hereto as **Exhibit B** is a true and correct copy of excerpts of the June 9, 2014, deposition of Danica Kragic, lead author of the IEEE Article. Exhibits C through M below were identified at this deposition, as noted by the references to “Kragic Dep. Ex.”

4. Attached hereto as **Exhibit C** is a true and correct copy of an email exchange between Greg Hager and Danica Kragic dated November 1, 2002 (Kragic Dep. Ex. 4).

5. Attached hereto as **Exhibit D** is a true and correct copy of an email exchange between Greg Hager and Danica Kragic dated January 9 and 14, 2003 (Kragic Dep. Ex. 5).

6. Attached hereto as **Exhibit E** is a true and correct copy of a manuscript Dr. Kragic produced in discovery in this case (Kragic Dep. Ex. 7).

7. Attached hereto as **Exhibit F** is a true and correct copy of project notes Dr. Kragic produced in discovery in this case (Kragic Dep. Ex. 8).

8. Attached hereto as **Exhibit G** is a true and correct copy of a “submission notice” Dr. Kragic produced in discovery in this case (Kragic Dep. Ex. 9).

9. Attached hereto as **Exhibit H** is a true and correct copy of Dr. Kragic’s written response to the discovery issued by this court to the Swedish Ministry of Justice under a request for international assistance, received by this

Court on December 4, 2013 (Dkt. No. 58) (Kragic Dep. Ex. 3).

10. Attached hereto as **Exhibit I** is a true and correct copy of a printout of an electronic file titled “procedures.xml” that Dr. Kragic produced in discovery in this case (Kragic Dep. Ex. 14).

11. Attached hereto as **Exhibit J** is a true and correct copy of a printout of an electronic file titled “MoveTo.cc” that Dr. Kragic produced in discovery in this case (Kragic Dep. Ex. 15).

12. Attached hereto as **Exhibit K** is a true and correct copy of an email exchange between Dr. Kragic and Gregory Hager, dated February 4, 2012 (Kragic Dep. Ex. 6).

13. Attached hereto as **Exhibit L** is a true and correct copy of a proposal Dr. Kragic produced in discovery in this case (Kragic Dep. Ex. 30).

14. Attached hereto as **Exhibit M** is a true and correct copy of a series of emails including, in relevant part, a January 2, 2012, email exchange between Dr. Kragic and Gregory Hager (Kragic Dep. Ex. 17).

15. Attached hereto as **Exhibit N** is a true and correct copy of excerpts of the December 17, 2013, deposition of IEEE expert witness Blake Hannaford.

16. Attached hereto as **Exhibit O** is a true and correct copy of an article by J. N. Weiss and Leon A. Bynoe, *Injection of Tissue Plasminogen Activator into a Branch Retinal Vein in Eyes with Central Retinal Vein Occlusion*, from the

journal *Ophthalmology*, identified as Exhibit 17 in the Hannaford deposition.

17. Attached hereto as **Exhibit P** is a true and correct copy of excerpts of the October 16, 2013, deposition of Gregory D. Hager.

18. Attached hereto as **Exhibit Q** is a true and correct copy of excerpts of the October 15, 2013, deposition of Russell H. Taylor.

19. Attached hereto as **Exhibit R** is a true and correct copy of a document entitled “Ph.D. Requirements – Computer Science,” as printed from the Johns Hopkins University website on October 10, 2013, identified as Exhibit 1 in the Taylor deposition.

20. Attached hereto as **Exhibit S** is a true and correct copy of a December 9, 2010 email exchange between Dr. Hager and Dr. Taylor, forwarding an earlier email from Dr. Kumar, identified as Exhibit 6 in the Taylor deposition.

21. Attached hereto as **Exhibit T** is a true and correct copy of excerpts of the November 13, 2013, Rule 30(b)(6) deposition of IEEE, specifically the testimony provided by IEEE Intellectual Property Rights specialist Anthony B. Vengraitis. Exhibits U through X below were identified at this deposition, as noted by the references to “Vengraitis Dep. Ex.”

22. Attached hereto as **Exhibit U** is a true and correct copy of a May 22, 2012, email exchange between Mr. Vengraitis and Alessandro De Luca, excerpted from Vengraitis Dep. Ex. 16.

23. Attached hereto as **Exhibit V** is a true and correct copy of a series of redacted emails produced by IEEE in discovery (IEEE_000527-533) (Vengraitis Dep. Ex. 18).

24. Attached hereto as **Exhibit W** is a true and correct copy of a redacted report and email exchange, both dated July 17, 2012, produced by IEEE in discovery (IEEE_000520-522) (Vengraitis Dep. Ex. 19).

25. Attached hereto as **Exhibit X** is a true and correct copy of an IEEE committee's "Report of plagiarism case evaluation," as provided by IEEE to Dr. Kumar in 2012 (Vengraitis Dep. Ex. 20).

26. Attached hereto as **Exhibit Y** is a true and correct copy of excerpts of the November 13, 2013, Rule 30(b)(6) deposition of IEEE, specifically the testimony provided by IEEE Staff Executive for Publications Anthony Durniak.

27. Attached hereto as **Exhibit Z** is a true and correct copy of a paper review produced by IEEE in discovery (IEEE_000519), identified as Exhibit 25 in the Durniak deposition.

28. Attached hereto as **Exhibit AA** is a true and correct copy of the Notice of Correction IEEE Published in connection with the IEEE Article, identified as Exhibit 26 in the Durniak deposition.

29. Attached hereto as **Exhibit BB** is a true and correct copy of excerpts of the deposition of Andrew Douglas, taken on October 15, 2013.

30. Attached hereto as **Exhibit CC** is a true and correct copy of a letter from Andrew Douglas to Nicholas Jones, dated February 28, 2012, identified as Exhibit 8 in the Douglas deposition.

I declare under penalty of perjury under the laws of the state of the United States of America that the foregoing is true and correct.

Executed at Seattle, Washington, this 20th day of February, 2015.

/s/Eric M. Stahl

Eric M. Stahl